

1 JOHN D. WOOD (*Admitted Pro Hac Vice*)
2 BRANHAM & DAY, P.C.
3 5300 Maryland Way, Suite 300
4 Brentwood, TN 37027
5 Telephone: (615) 742-4880
6 Facsimile: (615) 742-4881
7 jwood@branhamday.com

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attorneys for Plaintiff
THERESA MONSEUR KELLY

19
20
21
22
23
24
25
26
27
28

THOMAS M. HERLIHY (SBN 83615)
SEAN P. NALTY (SBN 121253)
KELLY, HERLIHY & KLEIN LLP
44 Montgomery Street, Suite 2500
San Francisco, CA 94104-4217
Telephone: (415) 951-0535
Facsimile: (415) 391-7808
nalty@kelher.com

Attorneys for Defendants
UNUM LIFE INSURANCE COMPANY
OF AMERICA, UNUMPROVIDENT CORPORATION,
and MDL DENTAL, LTD, STD, LIFE, AD&D PLAN

19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

19
20
21
22
23
24
25
26
27
28

THERESA MONSEUR KELLY,
Plaintiff,
vs.

19
20
21
22
23
24
25
26
27
28

UNUM LIFE INSURANCE COMPANY
OF AMERICA, UNUMPROVIDENT,
CORPORATION, MDL INFORMATION
SYSTEMS, INC., and MDL DENTAL, LTD,
STD, LIFE, AD&D PLAN,

Defendants.

19
20
21
22
23
24
25
26
27
28

THEO J. EMISON (SBN 209183)
EMISON HULLVERSON BONAGOF SKY
425 Pacific Avenue
San Francisco, CA 94133
Telephone: (415) 434-2111
Facsimile: (415) 434-2112
temison@ehblaw.com

Attorneys for Plaintiff
THERESA MONSEUR KELLY

Case No. C 05-02915-CW

**STIPULATION AS TO SUBSTITUTION
OF PLAN NAME; ORDER THEREON**

1 **STIPULATION**

2 The parties, through their counsel of record, stipulate that the pleadings, including the
3 complaint and answer, should be amended to substitute the proper plan as "MDL Health Plan" in
4 place of "MDL Dental, LTD, STD, LIFE, AD&D Plan" as a defendant in this action.

5
6 Dated: October 2, 2006

BRANHAM & DAY, P.C.

7 By /s/ John D. Wood
8 John D. Wood (Admitted Pro Hac Vice)
9 Attorneys for Plaintiff
THERESA MONSEUR KELLY

10
11 Dated: October 2, 2006

EMISON, HULLVERSON, BONAGOFSKY

12 By /s/ Theo J. Emison
13 Theo J. Emison
14 Attorneys for Plaintiff
THERESA MONSEUR KELLY

15
16 Dated: October 2, 2006

KELLY, HERLIHY & KLEIN, LLP

17 By /s/ Sean P. Nalty
18 Sean P. Nalty
19 Attorneys for Defendants
20 UNUM LIFE INSURANCE COMPANY OF
21 AMERICA, UNUM PROVIDENT CORPORATION,
22 and MDL DENTAL, LTD, STD, LIFE, AD&D
23 PLAN

24 **ORDER**

25 The Court accepts the stipulation of the parties. It is therefore ORDERED that the
26 pleadings, including the complaint and answer, are amended to substitute "MDL Health Plan" in
27 place of "MDL Dental, LTD, STD, LIFE, AD&D Plan" as a defendant in this action.

28 IT IS SO ORDERED.

10/3/06


CLAUDIA WILKEN, JUDGE OF THE
UNITED STATES DISTRICT COURT